

**ATTORNEY LOCAL RULES COMMITTEE
SUB COMMITTEE – TRAINING
January 28, 2004**

**1. When should training start and how often should classes be held?
(month, times a week)**

RECOMMENDATION: Training should start as soon as possible and be held as frequently as possible. A knowledge prerequisite listing should be posted on the website and sent to enrollees.

2. Who should receive training? (Attorney, Secretary, Interns)

RECOMMENDATION: Training should be available to attorneys as well as support staff including petition preparers. A petition preparer is not authorized to file petitions and should not be given a user id / password for CM / ECF use.

3. Should training be required before a password and login are issued for the ECF system?

RECOMMENDATION: There was not a consensus on this issue.

One recommendation is to allow a waiver of training for those attorneys that are familiar with ECF. What is familiar with ECF? There is concern as to what training would be equivalent to the Middle District training. We do not want to force an attorney to travel to the Middle District for training.

A second recommendation is to strongly encourage attorneys practicing in the Middle District to take the training course offered; however, training is not be required to obtain a user id and password. It will be to the attorney's detriment not to enroll in the Middle District's training course. One on one help will only be available to those individuals who have participated in the Middle District training course.

A third recommendation is to have an assessment that is required for those attorneys outside the Middle District. Based upon some undefined criteria (a score of less than 60%), mandate that the attorney take training and retake the assessment before an id / password are issued. Attorneys in the Middle District could take the assessment OR participate in a training class before an id / password are issued. For those attorneys that participate in the training class given by the Middle District, the assessment may be given but the attorney would not be denied an id and password based upon the assessment score.

4. Where should training be held? (Court, Community colleges, attorney offices)

RECOMMENDATION: Vanderbilt has facilities with 20 computers and will charge \$150.00 / hour.

MultiPro Computer has two labs with 12 computers and will charge \$150 / half day or \$250 / full day. MultiPro Computer needs two weeks notice to reserve a lab. Contact Ben Brady 931-528-7777 ext 285. Multi Pro Computer, 127 North Oak Street, Cookeville, TN.

Tennessee State University has facilities with approximately 35 computers which can be used for the initial training in Nashville.

The training room at the Courthouse will be used for on going training needs.

Columbia State Community College in Columbia has 7 labs with approximately 20 computers in each and will charge of \$50 / hour with a maximum of \$200. Contact Sandy 931-450-2660 or Melissa Dunn 931-540-2650

Internet can be utilized for proof of claim filers only.

5. Can CLE credits be earned for training?

RECOMMENDATION: CLE lecture and hands on training are available for CLE credit. Any internet based training may be eligible if there is a forum to ask questions.

6. What ECF topics should be covered in training? (Filing, Reports, Queries, Local Rules related to ECF)?

RECOMMENDATION:

Training should include ECF usage and local rules related to ECF.

The courtroom subcommittee has recommended that training include hand on training in the court room regarding the used of the permanent CM/ECF computers and the use of the wireless hotspot.

The Noticing subcommittee has recommended that training include the noticing process. The system automatically sends an email to everyone who is registered with ECF. This email will be considered service. An email is sent to the filer listing the individuals that did not receive notice. The filer

must send the pleading to those individuals. The filer also receives an email of individuals who are registered with ECF but did not receive notice due to failed attempts (how many attempts?). The filer is also responsible for sending notice to those registered ECF users with failed notice.

7. How long should classes be? (8 hour class or several 2 hr or 1 hour classes, half days)

RECOMMENDATION: Classes are anticipated to be a four hour session. Internet based training for proof of claim filers should be less than one hour.

8. Should training include other issues? (Scanning, Adobe, email management)

RECOMMENDATION: Preliminary recommendation – send assessment form to local bankruptcy attorneys to assist in determining training needs. Training should include CBT and local rules relating to ECF only. Other training needs shall be identified with recommendations on sources for training (TN Tech, local community colleges, internet sources, how to books). A brief session on converting word to pdf format is incorporated into the training.

Notice of Error / Notice of Correction (refer to # 11)

(A knowledge prerequisite listing such as Word processing, PDF write / reader, scanning, internet browser, email, file management, windows should be posted or sent to enrollees. The enrollees should have basic computer knowledge prior to attending the ECF training.)

9. What type of mediums should be used for training? (Classroom, On-line Computer Based Training, Videos)

RECOMMENDATION – Lecture and hands on training on CBT. An internet based training is available for proof of claim filing only; this training includes a small quiz upon completion.

10. Do we need different types on classes based on filer type? (Creditor, Debtor, Trustee)

RECOMMENDATION – A generic class for attorneys and support staff. The Trustees will have a separate class due to specialized menu selections.

More discussion may be needed after the filing committee has made a recommendation on the procedure for filing petitions. Case initiation and petition filing should be a separate training class.

11. How are errors corrected and who is responsible for correcting them?

RECOMMENDATION: The Clerk's Office role will change from accepting paper documents to a Quality Assurance role.

A Notice of Mistake or Notice of Correction will be devised to put parties on Notice that a pleading was filed in error. It is the filer's responsibility to initiate the Notice and take corrective action. The Clerk's Office MAY initiate a Notice of Mistake and will make appropriate corrective entries in the docket. The erroneous pleading will not be removed but a corrective entry will be made to notate the error. The filer is responsible for sending Notice of the error and for sending service to the interested parties.

12. How should remedial training be addressed?

RECOMMENDATION: We briefly discussed this issue but did not make a specific recommendation. We discussed a declaration by the attorney on the registration form which states that the attorney will learn the local rules and the use of CM/ECF. We discussed the possibility of an ECF Rule 11.

GENERAL NOTES

May 1 live date

Court will be responsible for training approximately 1500 individuals. This number includes attorneys and support staff.

The Computer Base Training (CBT) has 15 training modules. Most of the selections utilize drop down menus. The training subcommittee has recommended that the CBT be made available to all members of the ECF committee as soon as possible.

The training subcommittee has recommended that a forum be established to allow the attorneys to ask technical questions.

A technical fair will be held in February. If you have any recommendations of companies that you think would like to participate, please contact Karen Johnson or Tracey Couling.

The training subcommittee has recommended that a grace period be allowed for attorney to use ECF. The filing subcommittee has recommended that effective January 1, 2005, electronic filing shall be mandatory.

***Please look at the following website for training on ECF

<http://www.pacer.psc.uscourts.gov/cmecf/bktrain.html>

The training room on the second floor of the courthouse will be available to attorneys during the hours posted. Someone from the court will be available to assist with questions during these hours.